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OFFICE OF THE ATTORNEY GENERAL

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March 2, 2010

**Via ECF Filing**

Honorable Gary L. Sharpe  
United States District Judge  
United States District Court  
James T. Foley U.S. Courthouse  
440 Broadway, Room 441  
Albany, New York 12207

Re: *Bryant et al v. New York State Ed. Dept., et al.*, 10-CV-0036 (GLS/RFT)

Dear Judge Sharpe:

By this letter, I respectfully request permission to file traditionally under seal documents that will be submitted in support of defendants' opposition to plaintiffs' motion for a preliminary injunction and in support of defendants' cross-motion to dismiss. Defendants' opposition and cross-motion will be filed today.

Exhibits A, B, C, D, E, F and G to the Declaration of Patricia J. Geary, M.S., SAS are individualized education programs ("IEP) for the student plaintiffs, which are confidential by law.

Exhibits A and B to my declaration are excerpts from transcripts of depositions that were designated confidential by the parties in Alleyne v. NYSED.

The Court's attention to this request is appreciated.

Respectfully,

*/s/ Kelly L. Munkwitz*

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